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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,381	01/14/2002	Ian Barry Anthony Parr	025866/0102	5769
27433	7590	06/19/2006	EXAMINER	
FOLEY & LARDNER LLP 321 NORTH CLARK STREET SUITE 2800 CHICAGO, IL 60610-4764			DESHPANDE, KALYAN K	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/047,381	<b>Applicant(s)</b> PARR, IAN BARRY ANTHONY	
	<b>Examiner</b> Kalyan K. Deshpande	<b>Art Unit</b> 3623	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 January 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/14/2002</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Introduction***

1. The following is a non-final office action in response to the communications received on January 14, 2002. Claims 1-20 are now pending in this application.

### ***Information Disclosure Statement***

2. The examiner has reviewed the patents and articles supplied in the Information Disclosure Statements (IDS) provided on January 14, 2002.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito (U.S. Patent No. 5761674).

As per claim 1, Ito teaches:

A construction project management system for an individual construction project, comprising:

a database including groups of information regarding a plurality of construction projects, the groups of information organized in a hierarchical fashion in accordance with activities pertaining to a construction project, and each group of information designated as either being applicable or inapplicable to a construction project (see column 2 line 5-15, column 2 lines 38-51, column 6 lines 19-35, column 8 lines 1-7,

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column 8 lines 33-56, column 11 lines 17-55, and column 12 lines 33-40, and figures 2 and 3; where a database contains projects and project information. The information is organized in a hierarchical fashion connecting project information with projects. Project information includes cost and development information. Designers also have the ability to create process models. Using different views, designers can associate tasks and activities to a process. Associating tasks and activities is the same as designating information that is applicable or inapplicable.);

at least one group of information including data regarding the nature of a corresponding individual activity (see column 2 line 5-15, column 2 lines 38-51, column 8 lines 1-7, column 8 lines 45-56, and figures 2 and 3; where a database contains projects and project information. The information is organized in a hierarchical fashion connecting project information with projects. Project information includes cost and development information. Project information is data, as it is stored in a database.);

means for observing the groups of information and data included on the database (see column 5 lines 22-59; where the application is constructed with views. Each view allows a user to observe separate information pertaining to the view.); and

means for interacting with the groups of information and data included on the database, the interacting means permitting a user to designate whether a group of information is applicable or inapplicable to a particular construction project (see column 6 lines 19-35, column 8 lines 33-45, column 11 lines 17-55, and column 12

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lines 33-40; where users can add and modify data to existing process models.

Designers also have the ability to create process models. Using different views, designers can associate tasks and activities to a process. Associating tasks and activities is the same as designating information that is applicable or inapplicable.),

Ito fails to teach designating information as being not complete, partially complete or completed. It is old and well-known in project management to designate activity and task information as incomplete, partially complete, or complete. The advantage of designating a status to activities and tasks is that it enables a user to more effectively organize information and plan the project. It would have been obvious, at the time of the invention, to one of ordinary skill in the art to combine the feature of designating information as being not complete, partially complete, or completed with the Ito system in order to more effectively organization information and plan the project, which is a goal of Ito (see column 1 lines 34-45).

As per claim 2, Ito teaches:

The construction project management system of claim 1, wherein the interacting means further permits a user to alter the data corresponding to individual activities (see column 6 lines 19-35, column 8 lines 33-45, column 11 lines 17-55, and column 12 lines 33-40; where users can add and modify data to existing process models.).

As per claim 3, Ito teaches:

The construction project management system of claim 2, wherein the groups of information are organized in a hierarchical fashion so as to include a plurality of phase groups, and wherein at least one phase group includes a plurality of activity

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groups (see column 2 line 5-15, column 2 lines 38-51, column 8 lines 1-7, column 8 lines 45-56, and figures 2 and 3; where information is organized in a hierarchical fashion. Information is organized in terms of views, where the views have associated tasks and activities. The views are the same as the phases.).

As per claim 4, Ito teaches:

The construction project management system of claim 3, wherein the groups of information are organized in a hierarchical fashion such that at least one of the activity groups includes a plurality of process groups (see column 2 line 5-15, column 2 lines 38-51, column 8 lines 1-7, column 8 lines 45-56, and figures 2 and 3; where information is organized in a hierarchical fashion. Information is organized in terms of views, where the views have associated tasks and activities. The views are the same as the phases. Figure 2 describes an activity group as a project view, where the project view includes a plurality of process groups.).

As per claim 5, Ito teaches:

The construction project management system of claim 4, wherein the groups of information are organized in a hierarchical fashion such that that at least one of the process groups includes a plurality of task groups (see column 2 line 5-15, column 2 lines 38-51, column 8 lines 1-7, column 8 lines 45-56, and figures 2 and 3; where information is organized in a hierarchical fashion. Information is organized in terms of views, where the views have associated tasks and activities. The views are the same as the phases. Figure 2 describes an activity group as an object view, where

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the object view includes a plurality of tasks groups required for the construction of a building.).

As per claim 6, Ito teaches:

The construction project management system of claim 5, further comprising means for restricting unauthorized individuals from accessing the system (see column 7 lines 62-67 and column 8 lines 1-45; where the system has preventative steps for restricting unauthorized individuals from accessing the system.

Specifically, the user must input a project code, a project name, and their role on the project. A user is further restricted in terms of project role, i.e. a sales individual can only see information relevant to sales individuals. A sales individual would be unauthorized to view other information.).

As per claim 7, Ito fails to explicitly teach “a means for automatically designating groups as being completed upon individual groups being designated as complete”. It is old and well-known in the art to automatically designate an activity as complete when all of the tasks associated with that activity are designated as complete. The advantage of this feature is that it facilitates a user to more effectively organize information and plan the project. It would have been obvious, at the time of the invention, to one of ordinary skill in the art to combine the feature of “automatically designating groups as being completed upon individual groups being designated as complete” with the Ito system in order to more effectively organize information and plan a project, which is a goal of Ito (see column 1 lines 34-45).

As per claim 8, Ito teaches:

The construction project management system of claim 6, further comprising means for adding additional information groups to the system and placing the information group into the hierarchical organization of the system (see column 6 lines 19-35, column 8 lines 33-45, column 11 lines 17-55, and column 12 lines 33-40; where users can add and modify data to existing process models. Designers also have the ability to create process models. Using different views, designers can associate tasks and activities to a process. The ability to create new groups is the same as adding new groups.).

Claims 9-14 recite a method managing a construction project management which is within the construction project management system of claims 1-8; therefore the rejection for this method is the same as the rejection for the system. Claims 9-14 further recite limitations already addressed by the rejection of claims 1-8; therefore these rejections apply to claims 9-14.

Claims 15-20 recite a construction project management system which is the same as the construction project management system for an individual construction project of claims 1-8; therefore the rejection for the system of claims 1-8 applies to the rejection of the system of claims 15-20. Claims 15-20 also recite limitations already addressed by the rejections of claims 1-8; therefore the same rejections apply to claims 15-20.

### ***Conclusion***



5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following are pertinent to the current invention, though not relied upon:

Kroeger (U.S. Patent Publication No. 20020165723) teaches a system, method and computer program product are provided for managing a construction process.

Takamoto et al. (U.S. Patent No. 5471408) teaches a resource allocation optimization model includes linear constraints, allocation states of each object represented by 0, 1 variables of which the number is the same as the number of divided regions covering the whole allocation base region and an objective function described as the quadratic summation of resource stacks allocated to each divided region.

Isherwood (U.S. Patent No. 5918219) teaches a distinctive estimating method using a concise depiction, organization, and presentation of time, related to the number of items accomplished, to produce a Historical Data Block of information, that is a stable inference base.

Thompson (U.S. Patent No. 6393410) teaches a process for estimating a construction project over a computer network.

Birkner et al. (U.S. Patent Publication NO. 20020198755) teaches a construction management system includes a handheld computer adapted to collect construction data from the field; a planning system to track budgetary information; a design system to perform site engineering assessment; and a construction system to track material consumption and progress for each project, the construction system adapted to receive

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data collected from the handheld computer, store daily project reports and generate key indicator reports.

Leisten et al. (U.S. Patent No. 6023702) teaches a system platform for a synergistic, role modular work process environment.

Krause (U.S. Patent No. 5950206) teaches a method and an apparatus for searching for and tracking construction projects includes a mass data storage device for storing as databases project information and document information related to construction projects.

Oba et al. (U.S. Patent No. 5303147) teaches a planning method by computer support is based on a planning program using data concerning an object to be planned and data necessary for planning.

Vivona et al. (Vivona, M.A.; Knuutila, R.; "Blueprint for successful construction management", *Hydrocarbon Processing*, May 1999) teaches a construction project method incorporating enforcing proper construction methods, maintaining schedules, and path forward planning and forecasts.

Scatuccio (Scatuccio, Vincent; "Managing Small Projects Within a Utility", *American Association of Cost Engineers Transactions*, 1992) teaches method for managing small transmission and distribution projects.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kalyan K. Deshpande whose telephone number is (571) 272-5880. The examiner can normally be reached on M-F 8am-5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
kkd

  
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